

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

HOLCOMBE, et. al,

Plaintiffs

vs.

UNITED STATES OF
AMERICA,

Defendant

NO. 5:18-CV-00555-XR

(consolidated cases)

STIPULATIONS

The parties stipulate:

1. Kelley's mental health history did not disqualify him from purchasing firearms under Section 922(g) of the Brady Act.
2. Kelley's bad conduct discharge did not disqualify him from purchasing firearms under Section 922(g) of the Brady Act.
3. The Air Force is an agency of the United States of America.
4. The Department of Defense is an agency of the United States of America.
5. The following individuals were employees of the United States of America:
 - a) Vince Bustillo, Detachment 225 Special Agent-in-Charge (SAIC), from October 20, 2009 until October 31, 2011.
 - b) Alex Meusburger, Detachment 225 Interim Commander for a four month period sometime between September 2010 and December 2012.

- c) Randall Taylor, Detachment 225 SAIC from December 8, 2011 until May 31, 2014.
- d) Frank Marconi, Devin Kelley's Squadron Commander, 2011-2012.
- e) Robert Bearden, Devin Kelley's Squadron Commander, 2012-2013.
- f) Nathan McLeod-Hughes, Devin Kelley's Operations Officer and second in Command at Squadron, 2011-2012.
- g) Lyle Bankhead, Detachment 225 Superintendent from July 2012 until October 16, 2013.
- h) Clinton Mills, Detachment 225 Special Agent from sometime in 2010 until sometime in 2013.
- i) Yonatan Holz, Detachment 225 Special Agent from June 15, 2010 until October 27, 2012.
- j) James Hoy, Detachment 225 Special Agent from sometime in 2008 until approximately November 2012, and Noncommissioned Officer in Charge of Detachment Operations from approximately November 2010 to July 2012.
- k) Gregory Harper, Detachment 225, October/November 2010.
- l) Jayson Huinker, Detachment 225 Special Agent from approximately September 2011 until July 28, 2014.
- m) Lenora Madison, Detachment 225 Special Agent, from September 2007 through June 16, 2012.
- n) Dwayne Harris, Security Forces member assigned to 49th Security Forces Squadron from 2008 until sometime in 2013.
- o) Matthew Veltri, Region 2 Action Officer from 2010 until April 2013.

- p) Ken Sallinger, 2nd Field Investigations Region, from May/June 2010 until November 2012.
- q) Willie Dukes, 49th Security Forces Squadron Confinement Non-Commissioned Officer in Charge (NCOIC) in November 2012.
- r) Schneider Rislin, 49th Security Forces Squadron Operations Officers, with oversight of confinement facility, in Nov. 2012.
- s) Ronald Rupe, 49th Security Forces Squadron Detective from June 2004 until May 2013.
- t) Ryan Sablan, 49th Security Forces Squadron Investigator from sometime in 2012 to February 2013.
- u) Richard Schnell, 49th Security Forces Squadron Detective from sometime in 2004 to 2018.
- v) Dawn Hankins, Staff Judge Advocate (SJA) at Holloman AFB, NM from approximately July 2010 to approximately July 2012.
- w) Owen W. Tullos, SJA at Holloman AFB, NM from approximately July 2012 until approximately July 2014.
- x) Phillip Douglas Countryman, Assistant SJA assigned to Holloman AFB, NM from April 2010 until sometime in 2012.
- y) Jessika Lee Edwards, Air Force member between March 24, 1999 and December 3, 2012.
- z) MSgt. Tracy Wolfe, 49th Aircraft Maintenance Squadron, Holloman Air Force Base between sometime in 2009 or 2010 and sometime between 2012 and 2014.
- aa) Valerie Lynn Rowe, Kelley's supervisor at Holloman Air Force Base in 2011.

6. On January 5, 2010, Devin Patrick Kelley (“Kelley”) enters active duty with the Air Force.
7. On or about January 11, 2011, Kelley was assigned to the 49th Logistics Readiness Squadron at Holloman Air Force Base, in New Mexico.
8. On April 29, 2012, Holloman Air Force Base Detachment 225 received a hard drive containing Devin Kelley’s video confession to child abuse.
9. On June 9, 2012, Kelley was placed in pre-trial confinement.
10. On August 2, 2012, an Article 32 Hearing was held against Kelley.
11. On August 27, 2012, charges against Kelley were referred to a general court-martial.
12. On November 2, 2012, Kelley entered into a plea agreement in which he pleads guilty to two specifications of the Uniform Code of Military Justice Art. 128, assault.
13. On November 7, 2012, Kelley was sentenced to a bad conduct discharge, confinement for 12 months, and reduction in rank to the grade of E-1.
14. On December 18, 2012, Kelley was transferred to the Naval Consolidated Brig at Miramar.
15. On January 14, 2013, the convening authority approved the findings and sentencing adjudged against Kelley.
16. On March 27, 2013, a conditional barment was entered against Kelley, prohibiting him from entering Holloman Air Force Base.
17. On March 31, 2013, Kelley was released from confinement.
18. On April 10, 2014, Kelley was separated from the Air Force.

19. On April 10, 2014, Holloman Air Force Base Detachment 225 and the 49th Security Forces were notified by Headquarters, Joint Base Andrews, that Kelley's appeal from his November 7, 2012 conviction was final.

Agreed to on behalf of the United States:

/s/ Paul David Stern

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Agreed to on behalf of all Plaintiffs:

/s/ Jamal K. Alsaffar

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